IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10064 OF 2004

S.V.Kulkarni & Anr. ...Petitioners
Vs.
Union of India & Ors. ...Respondents

Mr.Ramesh Rammurthy for Petitioners
Mr. Suresh Kumar for Respondents

CORAM: H.L.GOKHALE &
SMT.R.S.DALVI,JJ.
DATED: 18TH JULY, 2005

P.C.

1. Heard Mr. Ramesh Rammurthy in support of this Petition. Mr. Sureshkumar appears for the Respondents. The Petition is filed concerning the 5th Pay Commission recommendation pertaining to the Technical Cadres in the Indian Navy. The Petitioners are seeking to give appropriate directions for the four grade structure recommended for them. They have an alternative remedy to approach the Central Administration Tribunal and they must avail the same as held by the Apex Court in **L.Chandra Kumar Vs. Union of India (1997)3 SCC 261. In that Judgment the Apex Court** has held that those Tribunals are expected to act as the Court of first instance in respect of matters falling within its jurisdiction of law for which they have been constituted. This being the position the Petition is dismissed. It will be open to the Petitioner to approach the appropriate Court.

(H.L.GOKHALE,J.)

(SMT.R.S.DALVI,J.)